

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NATALIE PERKINS and KENNETH
HASSON, individually and on behalf of
themselves and all other similarly situated,

Plaintiffs,

v.

ZILLOW GROUP, INC. and MICROSOFT
CORPORATION,

Defendants.

No. 2:22-cv-01282

STIPULATED MOTION AND
[PROPOSED] ORDER TO STAY OR, IN
THE ALTERNATIVE, TO, EXTEND
DEFENDANTS' RESPONSIVE
PLEADING DEADLINE

NOTE ON MOTION CALENDAR:
November 23, 2022

Plaintiffs Natalie Perkins and Kenneth Hasson ("Plaintiffs"), Defendant Zillow Group, Inc. ("Zillow"), and Defendant Microsoft Corporation ("Microsoft" and, with Zillow, "Defendants"), by and through their undersigned counsel, hereby stipulate and respectfully request that this Court enter an Order extending the deadline for Defendants' responsive pleading to sixty (60) days after the filing of an anticipated consolidated complaint or, in the alternative, extending the deadline for Defendants' responsive pleading, to February 6, 2023, which is seventy (70) days after Zillow's current deadline and sixty (60) days after Microsoft's current deadline:

1. On September 12, 2022, Plaintiffs commenced this putative class action on behalf of a proposed nationwide class against Defendants. (Dkt. No. 1).

1 2. On September 29, 2022, Zillow executed a Waiver of Service. Accordingly, its
2 deadline to file a responsive pleading to the Complaint is November 28, 2022.

3 3. On October 24, 2022, this Court granted Plaintiffs and Microsoft's Stipulated
4 Motion to Extend Microsoft's Responsive Pleading Deadline until December 8, 2022. (Dkt.
5 Nos. 14, 19).

6 4. On October 19, 2022, Zillow filed a motion pursuant to 28 U.S.C. § 1407 for
7 coordinated or consolidated pretrial proceedings (the "MDL Motion") with the United States
8 Judicial Panel on Multidistrict Litigation (the "Panel") to transfer seven (7) related putative class
9 actions pending outside this District in which Zillow is a defendant (collectively, the "Actions").
10 (See Dkt. No. 21). In its MDL Motion, Zillow requested that the Panel transfer and assign all
11 Actions to the United States District Court for the Western District of Washington. *Id.*

12 5. On November 8, 2022, the parties to all Actions (the "Parties"), through their
13 respective counsel, met and conferred in good faith regarding Zillow's MDL Motion. The
14 Parties in each action identified in Zillow's Motion pending in other districts agreed to seek
15 transfer their respective actions to the United States District Court of Western District of
16 Washington pursuant to 28 U.S.C § 1404(a). The Parties further agreed that they will seek to
17 consolidate the transferred actions in the Western District of Washington, and will propose a
18 schedule for motions to appoint interim class counsel pursuant to Fed. R. Civ. P. 23(g), followed
19 by the filing of a consolidated complaint.

20 6. On November 10, 2022, Zillow withdrew its MDL Motion in light of the Parties'
21 agreement.

22 7. On November 15, 2022, The Panel entered an Order deeming Zillow's MDL
23 Motion as withdrawn.

24 8. Zillow is working diligently with counsel for plaintiffs in the Actions to transfer
25 those pending Actions to the Western District of Washington from five (5) different districts
26 pursuant to 28 U.S.C. § 1404(a).

9. Certain of the Actions have already been transferred. *See, e.g., Order, Popa v. Zillow Group, Inc.*, No. 2:22-cv-01287-WSS, ECF No. 21 (Nov. 21, 2022 W.D. Pa.) (transferring action to the Western District of Washington for all further proceedings).

10. Because a consolidated complaint is forthcoming in this action following transfer of the related Actions to this district and the appointment of interim class counsel, the Parties therefore respectfully request that this Court issue an Order extending Defendants' responsive pleading deadline to sixty (60) days after the filing of the anticipated consolidated complaint.

WHEREFORE, Plaintiffs Natalie Perkins and Kenneth Hasson, Defendant Zillow Group, Inc., and Defendant Microsoft Corporation respectfully request that this Court issue an Order extending Defendants' deadline to file a responsive pleading to sixty (60) days after the filing of the anticipated consolidated complaint, or in the alternative, extending Defendants' deadline to file a responsive pleading to February 6, 2023.

DATED: November 23, 2022

SAVITT BRUCE & WILLEY LLP

By: /s/ James P. Savitt

James P. Savitt, WSBA # 16847
SAVITT BRUCE & WILLEY LLP
 1425 Fourth Avenue Suite 800
 Seattle, Washington 98101-2272
 Telephone: 206.749.0500
 Facsimile: 206.749.0600
 Email: jsavitt@sbwllp.com

Samantha L. Southall (*pro hac vice*)
BUCHANAN INGERSOLL & ROONEY PC
 50 South 16th Street Suite 3200
 Philadelphia, PA 19102
 Telephone: 215-665-8700
 Facsimile: 215-665-8760
 Email: samantha.southall@bipc.com

Counsel for Defendant Zillow Group, Inc.

1 DATED: November 23, 2022

2 **PERKINS COIE LLP**

3 By: /s/ Nicola Menaldo

4 Nicola Menaldo, WSBA # 44459

Anna Mouw Thompson, WSBA #52418

5 **PERKINS COIE LLP**

1201 Third Avenue, Suite 4900

6 Seattle, WA 98101 3099

7 Telephone: 206.359.8000

Fax: 206.359.9000

8 Email: NicolaMenaldo@perkinscoie.com

Email: AnnaThompson@perkinscoie.com

9 James G. Snell (*pro hac vice*)

10 **PERKINS COIE LLP**

3150 Porter Drive Palo Alto, CA 94304-1212

11 Phone: 650.838.4300 / 1.866.737.5461

12 Fax: 650.838.4350

Email: JSnell@perkinscoie.com

13 *Counsel for Defendant Microsoft Corporation*

15 DATED: November 23, 2022

16 **TOUSLEY BRAIN STEPHENS PLLC**

17 By: /s/ Kim D. Stephens

18 Kim D. Stephens, P.S., WSBA #11984

19 kstephens@tousley.com

Jason T. Dennett, WSBA #30686

20 jdennett@tousley.com

Kaleigh N. Boyd, WSBA #52684

21 kboyd@tousley.com

22 **TOUSLEY BRAIN STEPHENS PLLC**

1200 Fifth Avenue, Suite 1700

23 Seattle, Washington 98101

Telephone: 206.682.5600

24 Fax: 206.682.2992

25 Joseph P. Guglielmo, (*pro hac vice*)

Carey Alexander (*pro hac vice*)

26 Ethan Binder (*pro hac vice*)

E. Kirk Wood (*pro hac vice* forthcoming)

Sharika Robinson (*pro hac vice*
forthcoming)

Marcela Jenkins (*pro hac vice* forthcoming)

WOOD LAW FIRM, LLC

P. O. Box 382434

Birmingham, AL 35238-2434

Telephone: (205) 908-4906

kirk@woodlawfirmllc.com

Gary F. Lynch (*pro hac vice* forthcoming)

Kelly K. Iverson (*pro hac vice* forthcoming)

Jamisen A. Etzel (*pro hac vice* forthcoming)

Elizabeth Pollock-Avery (*pro hac vice*
forthcoming)

Nicholas A. Colella (*pro hac vice*
forthcoming)

Patrick D. Donathen (*pro hac vice*
forthcoming)

LYNCH CARPENTER LLP

**SCOTT + SCOTT ATTORNEYS AT LAW
LLP**

The Helmsley Building
230 Park Avenue, 17th Floor
New York, NY 10169
Telephone: (212) 223-6444
Facsimile: (212) 223-6334
jguglielmo@scott-scott.com
calexander@scott-scott.com
ebinder@scott-scott.com

1133 Penn Avenue, 5th Floor
Pittsburgh, Pennsylvania 15222
Telephone: 412-322-9243
Facsimile: 412-231-0246
gary@lcllp.com
kelly@lcllp.com
jamisen@lcllp.com
elizabeth@lcllp.com
nickc@lcllp.com
patrick@lcllp.com

Counsel for Plaintiffs and the Putative Class

ORDER

Based on the parties' stipulated motion, and having considered the matter, IT IS
ORDERED that Defendants' deadline to serve and file a responsive pleading is extended to
sixty (60) days after the filing of the anticipated consolidated complaint by plaintiffs in this
action.

DATED THIS ____ day of November, 2022.

The Honorable Richard A. Jones
United States District Judge

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on November 23, 2022, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

EXECUTED this 23rd day of November 2022 at Seattle, Washington.


Meghan Parker